

MEMORIAL RESOLUTIONS

S.R. 473 - By Senator Snelson: Memorial resolution for Alois Louis Jung.

S.R. 474 - By Senator Snelson: Memorial resolution for Andrew Jackson Sitton.

S.R. 475 - By Senator Snelson: Memorial resolution for Robert W. Klingelhofer.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 476 - By Senator Aikin: Extending welcome to Don Blacketer.

S.R. 477 - By Senator Aikin: Extending welcome to Joe W. Steed.

S.R. 478 - By Senator Schwartz: Extending congratulations to Alex Ray.

S.R. 479 - By Senator Schwartz: Extending congratulations to Greg Lambdin.

S.R. 480 - By Senator Herring: Extending welcome to 4th Grade Palm Elementary.

S.R. 481 - By Senator Herring: Extending welcome to Asian student leaders.

ADJOURNMENT

On motion of Senator Herring the Senate at 12:31 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX**Sent To Governor**

April 3, 1973

S.B. 130

S.B. 178

S.B. 265

S.B. 224

S.B. 88

FORTY-EIGHTH DAY
(Wednesday, April 4, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage,

Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend William E. Denham, Jr., First Baptist Church, Austin, Texas, offered the invocation as follows:

Our Father, in times of confusion, we need clear insight, in times of moral dilemma, we need moral strength, in times of conflicting demands, we need inner peace, in times of clamoring voices, we need the ability to hear beyond the voices to the people's real needs, in times when selfishness entices, we need a renewed call to the best that is within us.

Bless these chosen leaders in their difficult responsibilities. Give them strength, courage, and moral stamina, give them spiritual capacity, give them sensitivity to the needs of those who are hurt. We are grateful to every right decision which is made - whether popular or not. Bless each one this day. Give each one strength for the demands of this day, we pray.

Thou art Lord of our universe - we acknowledge that we are thy servants in all that we do this day - in Jesus name.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 4, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 72, Commending the Texas Relays.

The House has concurred in Senate amendments to House Bill 3 by vote of 140 ayes, 2 noes.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S.C.R. 72
H.C.R. 125
H.C.R. 81

REPORTS OF STANDING COMMITTEES

Senator Herring submitted the following reports for the Committee on Jurisprudence:

H.B. 215
H.B. 265
H.B. 9
S.B. 266
H.B. 188
S.B. 235 (Amended)

Senator Snelson, Vice-Chairman, submitted the following reports for the Committee on Education:

C.S.S.B. 788 (Read first time)
S.B. 349
S.B. 649

Senator Wallace submitted the following reports for the Committee on Intergovernmental Relations:

C.S.S.B. 435 (Read first time)
C.S.S.B. 438 (Read first time)
C.S.S.B. 440 (Read first time)
C.S.S.B. 489 (Read first time)
S.B. 261
S.B. 826 (Amended)

Senator Hightower submitted the following reports for the Committee on Administration:

S.B. 845
H.C.R. 66
H.C.R. 34
C.S.S.C.R. 53 (Read first time)

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

H.B. 607, To Committee on Intergovernmental Relations.
H.B. 556, To Committee on Intergovernmental Relations.
H.B. 143, To Committee on Economic Development.

SENATE BILLS AND RESOLUTION ON FIRST READING

By unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S.B. 879, A bill to be entitled An Act relating to the regulation of obscene and indecent exhibition or exposure of any person, providing a penalty; amending Section 1, Article 474, Penal Code of Texas, 1925, as amended; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Blanchard:

S.B. 880, A bill to be entitled An Act authorizing the conveyance of certain title, rights-of-way, or easements by the board of regents of Texas Tech University to the State Highway Department and the State of Texas; and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

S.B. 881, A bill to be entitled An Act changing the name of the Bureau of Labor Statistics to the Texas Department of Labor Relations; and declaring an emergency.

To Committee on Human Resources.

By Senator Brooks:

S.B. 882, A bill to be entitled An Act relating to the reporting and control of venereal disease; amending Article 4445, Revised Civil Statutes of Texas, 1925, as amended; providing a severability clause; and declaring an emergency.

To Committee on Human Resources.

By Senator Schwartz:

S.B. 883, A bill to be entitled An Act relating to the disclosure of state-regulated business interests by certain appointed state officers and the executive heads of certain state agencies; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Traeger:

S.B. 884, A bill to be entitled An Act relating to the terms of court of the 25th Judicial District; amending Subdivision 25, Article 199, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Snelson:

S.B. 885, A bill to be entitled An Act amending Title 102, Vernon's Texas Civil Statutes, by adding thereto a new Article 6008b-1 relating to the powers of the Railroad Commission to direct and enforce cooperation among persons owning or controlling production, leases, royalties, or other oil and gas property interests along each side of a voluntarily pooled unit's boundary lines; providing for severability; and declaring an emergency.

To Committee on Natural Resources.

By Senator Schwartz:

S.C.R. 76, Granting Emerald Properties permission to sue the State of Texas.

To Committee on Jurisprudence.

HOUSE BILL 120 ON SECOND READING

The President laid before the Senate on its second reading and passage to third reading:

H.B. 120, A bill to be entitled An Act relating to qualifications for jury service; etc.; and declaring an emergency.

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Amend H.B. 120 by striking Section 2 of the printed bill.

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Blanchard, Clower, Harrington, Herring, Kothmann, Mauzy, McKinnon, McKnight, Ogg, Sherman, Snelson and Wolff.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Gammage, Harris, Hightower, Jones, Longoria, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Traeger and Wallace.

Senator Jones offered the following amendment to the bill:

Amend H.B. 120 Sec. 2 by adding a new subdivision 3 as follows:

"3. All persons directly involved in the delivery of health care services."

and renumber any subdivisions accordingly.

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 15, Nays 16.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Creighton, Harris, Hightower, Jones, Longoria, Mengden, Ogg, Patman, Schwartz and Traeger.

Nays: Braecklein, Clower, Gammage, Harrington, Herring, Kothmann, Mauzy, McKinnon, McKnight, Meier, Moore, Santiesteban, Sherman, Snelson, Wallace and Wolff.

Senator Blanchard offered the following amendment to the bill:

Amend H.B. 120 by adding a new section 3 to read as follows and renumbering other sections accordingly.

"Sec. 3. The Courts of this State in construing this Act shall give due deference to hardships created upon a student of a public or private secondary school or a student enrolled in an institution of higher education."

The amendment was read and failed of adoption.

Senator Meier offered the following amendment to the bill:

Amend H.B. 120, by adding the words:

"eighteen years of age or older" at line 16 after the word "female" and before the words "are competent".

The amendment was read and was adopted.

On motion of Senator Gammage and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

RECORD OF VOTES

Senators Hightower, Moore, Creighton, Herring, Aikin, Harris, Jones and McKinnon asked to be recorded as voting "Nay" on the passage of the bill to third reading.

HOUSE BILL 8 ON SECOND READING

The President laid before the Senate on its second reading and passage to third reading:

H.B. 8, A bill to be entitled An Act relating to contributions, loans, and expenditures for campaigns for the office of Speaker of the House of Representatives; providing penalties for violation; etc. and declaring an emergency.

The bill was read second time.

Senator Gammage offered the following amendment to the bill:

Amend the quoted Section 7(a) on page 4 of H.B. 8, at the end of line 3, by adding after the word "firm," the words "union, foundation,".

The amendment was read and was adopted.

On motion of Senator Gammage and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

HOUSE BILL 8 ON THIRD READING

Senator Gammage moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 8 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 4, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 130, Congratulating Evan E. Worthing High School.

H.C.R. 110, Congratulating Texarkana on the celebration of its 100th Anniversary.

H.B. 177, A bill to be entitled An Act relating to the issuance of license plates and current registration insignia by the State Highway Department; amending Section 13, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-13, Vernon's Texas Civil Statutes); amending Subsection (b), Section 2, Chapter 178, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 6675a-13 1/2, Vernon's Texas Civil Statutes); amending Sections 5, 6, and 7, Chapter 3, Acts of the 43rd Legislature, 2nd Called Session, 1934, as amended (Article 807b, Vernon's Texas Penal Code); and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the Committee indicated:

H.B. 177, To Committee on State Affairs.

HOUSE BILL 533 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 533, A bill to be entitled An Act updating and correcting the Texas Education Code by codifying various omitted provisions, amending various provisions to correct errors, and expressly repealing various provisions that are replaced by the code; and declaring an emergency.

The bill was read second time and was passed to third reading.

RECORD OF VOTE

Senator Herring asked to be recorded as voting as "Nay" on the passage of the bill to third reading.

HOUSE BILL 533 ON THIRD READING

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 533 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Herring and Meier.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL 361 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 361, A bill to be entitled An Act relating to exemptions from the property tax and from the franchise tax for certain nonprofit corporations providing homes for the handicapped or elderly persons; etc.; and declaring an emergency.

The bill was read second time.

Senator Mauzy offered the following Committee Amendment to the bill:

Amend Section 2 of House Bill 361 at line 19 by substituting the following:

"Sec. 2. Article 7150, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding a Section 27 to read as follows:

"Section 27. There is exempt from taxation all real and personal property used by a non-profit corporation organized for the purpose of providing homes for elderly people sixty-two (62) years of age or older or handicapped persons which has no capital stock, where the management of its affairs is vested in a board of trustees who are selected by a church which is a strictly religious society or a corporation organized for the purpose of providing homes for elderly people sixty-two (62) years of age or older or handicapped persons not for profit, and where the Articles of Incorporation provide that in the event of a dissolution of the corporation all of its assets and property will go to and vest in said church or a non-profit corporation of like purposes."

The Committee Amendment was read.

Question of the adoption of the Committee Amendment, "Yeas" and "Nays" were demanded.

The Committee Amendment failed of adoption by the following vote: Yeas 12, Nays 18, Present-Not Voting 1.

Yeas: Adams, Aikin, Brooks, Harrington, Hightower, Jones, Kothmann, Longoria, Ogg, Schwartz, Traeger and Wolff.

Nays: Andujar, Blanchard, Braecklein, Clower, Creighton, Gammage, Harris, Herring, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Sherman, Snelson and Wallace.

Present-Not Voting: Mauzy.

The bill was passed to third reading by the following vote: Yeas 20, Nays 11.

Yeas: Adams, Aikin, Andujar, Brooks, Clower, Gammage, Harrington, Hightower, Jones, Kothmann, Longoria, Mauzy, Meier, Ogg, Santiesteban, Schwartz, Sherman, Traeger, Wallace and Wolff.

Nays: Blanchard, Braecklein, Creighton, Harris, Herring, McKinnon,

McKnight, Mengden, Moore, Patman and Snelson.

**MOTION TO PLACE COMMITTEE SUBSTITUTE
SENATE BILL 41 ON SECOND READING**

Senator Gammage asked unanimous consent to suspend the regular order of business and take up C.S.S.B. 41 for consideration at this time.

Question, Shall unanimous consent be granted?

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Thursday, April 5, 1973

C.S.H.B. 10 - Senator Brooks
C.S.S.B. 41 - Senator Gammage
S.B. 147 - Senator Gammage
S.B. 123 - Senator Gammage
S.B. 253 - Senator Moore
S.B. 340 - Senator Moore
C.S.S.B. 388 - Senator Herring
S.B. 398 - Senator Santiesteban
S.B. 614 - Senator Patman
C.S.S.B. 642 - Senator Wallace
H.B. 120 - Senator Gammage
S.C.R. 71 - Senator Gammage

Friday, April 6, 1973

S.B. 420 - Senator Mauzy
S.B. 593 - Senator Mauzy
S.B. 649 - Senator Schwartz

MEMORIAL RESOLUTION

S.R. 485 - By Senator Adams: Memorial resolution for Dr. Thomas Anson Stevens.

WELCOME AND CONGRATULATORY RESOLUTION

H.C.R. 110 - Extending congratulations to Texarkana on 100th Anniversary.

H.C.R. 130 - Extending congratulations to Evan E. Worthing High School.

S.C.R. 77 - By Senators Ogg and Jones: Extending congratulations to The Honorable Bobby Loyd Thomas.

S.R. 482 - By Senator Wolff: Extending congratulations to Roger L. Zeller.

S.R. 483 - By Senator Harrington: Extending welcome to Herman A. Denunzio.

S.R. 484 - By Senator Clower: Extending welcome to Dr. Bob Sewell, et al.

S.R. 486 - By Senator Gammage: Extending welcome to Mount Carmel High

School.

S.R. 487 - By Senator Mauzy: Extending welcome to David W. Carter High School.

S.R. 488 - By Senator Mauzy: Extending welcome to His Excellency L. O. Kibinge, Ambassador from Kenya.

S.R. 489 - By Senator Braecklein: Extending welcome to Texas Environmental Education Conference.

S.R. 490 - By Senator Ogg: Extending welcome to 5th Grade Long Point Baptist Day School.

RECESS

On motion of Senator Aikin the Senate at 12:22 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

April 4, 1973

S.C.R. 72

FORTY-EIGHTH DAY

(Continued)

(Thursday, April 5, 1973)

After Recess

The Senate met at 8:30 o'clock a.m., and was called to order by Senator Hightower.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Hightower in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of S.R. 291.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

S.B. 260 (Blanchard) (31-0)(31-0)

S.B. 261 (Hightower) (31-0)(31-0)

S.B. 266 (Adams) (31-0)(31-0)

S.B. 346 (Wolff) (31-0)(31-0)